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Attorney for **DEFENDANT**  
**TRUE TRADITIONS, L.C.**

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

In re	Case No 11-54357 SLJ
RICHARD STEVEN LOUIE and STEPHANIE YINMAN CHAN,  Debtors.	Chapter 7
CAROL WU, Trustee,  Plaintiff,  vs. MARY LOUIE, RICHARD STEVEN LOUIE, STEPHANIE YINMAN CHAN, TRUE TRADITIONS, L.C.  Defendants	Adv. Proc. No. 13-05062 SLJ
<i>et. al.</i>	<b>OBJECTION TO PLAINTIFFS' CLOSING BRIEF BASED ON ARGUMENT OUTSIDE SCOPE OF ISSUE OF GIFTING BY MARY TO RICK; ALTERNATIVE REQUEST TO FILE 2-PAGE REPLY BRIEF</b>

**I. QUESTION PRESENTED**

Did Plaintiffs exceed the scope of the Court's directive to brief the issue of implied gifting by Mary to her son Rick raised by Expert Crom?

**II. ANSWER**

Yes.

### III. OBJECTIONS

One, IA is an argument that addresses the issue of legal title—not gifting.

Two, IB raised an entirely new issue: gifting by Richard Louie Sr.

Three, Plaintiffs raised an entirely new issue of legal title creating a presumption.

Four, Plaintiffs raised entirely new issues of laches and statutes of limitations.

Five, Plaintiffs provide new state law authority (and ignore both federal authority in Defendant's Trial Brief and this Court's prior Order) asserting Defendant lacks standing to assert fraud.

### IV. CONCLUSION

We ask the Court to strike the arguments made outside of the Court's directive, and if so inclined to consider them, allow Defendant True Traditions, L.C. (and indirectly Mary since this Court already found True Traditions, L.C. can adequately represent her interests) a 2-page Reply Brief. We have arguments and authority to refute each new contention. The Court may wish to consider them in arriving at its decision. Despite Plaintiffs' new issues, we welcome and consent to their filing a 2-page Reply Brief to our Closing Brief.

Dated: 6/18/14

/s/ John A. Shepardson

**JOHN A. SHEPARDSON, ESQ. FOR  
DEFENDANT TRUE TRADITIONS, L.C.**